

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

WESLEY DEXTER ROBERTS, JR.,

Plaintiff,

v.

No. 13-cv-955 WJ/SMV

SANDRA STEWART, et al.,

Defendants.

**ORDER GRANTING LEAVE TO PROCEED**  
**PURSUANT TO 28 U.S.C. § 1915**

This matter is before the Court on Plaintiff's prisoner motion and affidavit for leave to proceed pursuant to 28 U.S.C. § 1915 [Doc. 2]. Because the Court grants the motion, the filing fee for this civil rights complaint is \$350.00. Plaintiff is required to pay the full amount of the filing fee pursuant to § 1915(b)(1). Based on the information about Plaintiff's financial status, the Court will waive an initial partial payment pursuant to § 1915(b)(1). If Plaintiff fails to comply with this order, the civil rights complaint may be dismissed without prejudice without further notice.

**IT IS THEREFORE ORDERED** that Plaintiff's motion to proceed pursuant to 28 U.S.C. § 1915 [Doc. 2] is **GRANTED**, and the initial partial payment is **WAIVED**;

**IT IS FURTHER ORDERED** that Plaintiff file monthly financial certificates and make monthly payments of twenty per cent (20%) of the preceding month's income credited to his account or show cause why the payment should be excused; and the Clerk is directed to provide Plaintiff with two copies of the post-filing financial certificate.

**IT IS SO ORDERED.**

  
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STEPHAN M. VIDMAR  
United States Magistrate Judge